GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

SUITS - Hon'ble High Court orders dated: 24.03.2017 passed in C.C.Nos.586/2014, 1277/2014, 1275/2014 & 1276/2014 in W.P.M.P.Nos.13229/2012 in W.P.No.3847 of 2008, W.P.M.P.No.20884 of 2012 in W.P.No.4574 of 2008, W.P.M.P.No.13224/2012 in W.P.No.8811 of 2008 & W.P.M.P.No.20886 of 2011 in W.P.No.9353 of 2008 respectively for admitting the services of (i).Sri Ch.Padmakar, Physical Director, Dr.B.R.Ambedkar Memorial Junior College, Tenali, and three others into Grant-in-aid w.e.f. 01.12.2012 - Cancellation / withdrawn the orders issued in G.O.Ms.No.46, S.E (IE) Dept., Dt:21.08.2018 prospectively - Further orders - Issued.

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SCHOOL EDUCATION (IE.A1) DEPARTMENT

G.O.Ms.No.01 Dated: 4th January, 2024

Read the following:-

1. G.O.Ms.No.7, School Edn. (IE) Dept., Dt.29-04-2015.
2. Hon'ble High Court orders dated 24.03.2017 passed in C.C.Nos.586/2014, 1277/2014, 1275/2014 & 1276/2014 in W.P.M.P.Nos.13229/2012 in W.P.No.3847 of 2008, W.P.M.P.No.20884 of 2012 in W.P.No.4574 of 2008, W.P.M.P.No.13224/2012 in W.P.No.8811 of 2008 & W.P.M.P.No.20886 of 2011 in W.P.No.9353 of 2008.
3. From Commissioner of Intermediate Education, A.P., Lr.Rc.No.Admn.II-2/1055/2002, dated 13-06-2017.
4. G.O.Ms.No.46 School Edn. (IE) Dept., Dt.21.08.2018
5. Hon'ble High Court of A.P. orders Dt:10.03.2023 in W.P.Nos. 3827, 4574, 8811 & 9353 of 2008.
6. From Commissioner of Intermediate Education, A.P., Lr.Rc.No.Admn.II/584723/2018, Dt:08.05.2023.

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ORDER:-

Government vide G.O.4th read above, has issued orders, admitting the services of [i] Sri Ch.Padmakar, Physical Director, Dr.BR.Amdedkar Memorial Junior College, Tenali, Guntur District, [ii] Smt.G.Vijayasree, Librarian, SDMS. Siddhartha Mahila Kalasala Junior College, Vijayawada Krishna District [now absorbed into Government], [iii] Sri Bojja Obulareddy, Physical Director, SKP.Junior College, Badvel, Kadapa District & [iv] Sri D.Ratna Kumar, Physical Director, V.T. Junior College, Rajahumundry, E.G.Dist., into Grant-in-Aid w.e.f 01.10.2012, in compliance of the Hon'ble High Court orders vide ref. 2nd read above, subject to outcome of W.P.Nos.3847 of 2008, 4574 of 2008, 8811 of 2008 and 9353 of 2008 and also subject to approval of appointments by the Secretary, B.I.E., A.P., Vijayawada by extending the benefits, as was done in the case of Sri P. Venugopala Reddy, Physical Director, SVGS. Jr.College, Nellore.

2. The Commissioner of Intermediate Education, A.P., in his letter 6th read above, among other things, has informed the Government, that the

(P.T.O)

Hon'ble High Court in its orders Dt.10-3-2023 in W.P.No.3847 of 2008, W.P.No.4574 of 2008, W.P.No.8811 of 2008 and W.P.No.9353 of 2008 has issued the orders that " at the time of their appointment there are no prior approval from the Government as per G.O.Ms.No.275, Edn. Dept., dated 14.12.1995. The contention of the learned counsel for the petitioner is that in similar circumstances, the Government has extended the benefit of admitting grant-inaid to Sri P. Venugopal Reddy, Physical Director, Sri Venugopal Swamy Junior College, Nellore through G.O.Ms.No.11, School Edn.(IE) Dept., Dt.12.03.2012 and the petitioner is also entitled for the same relief. However, it is for the appropriate Government to extend the benefit of admitting grant-in-aid in the case of the petitioner. Hence, the benefit of G.O.Ms.No.11, School Edn. Dept., Dt.12.3.2012 could not be extended to the petitioner and the said contention of the learned counsel for the petitioner is unsustainable. The petitioner's further contention that similarly situated persons to that of the petitioner were appointed and admitted into GIA and the case of the petitioner is denied. However, it is well settled law that Article 14 of the Constitution of India enshrines only positive equality, hence, the contention of the counsel for the petitioner holds no water and dismissed as the Writ Petition is found to be devoid of merits".

3. The Commissioner of Intermediate Education, A.P., has therefore, requested the Government to withdraw the orders issued by the Government vide G.O.4th read above, wherein the services of [i] Sri Ch.Padmakar, Physical Director, Dr.BR.Amdedkar Memorial Junior College, Tenali, Guntur District, [ii] Smt.G.Vijayasree, Librarian, SDMS. Siddhartha Mahila Kalasala Junior College, Vijayawada Krishna District [now absorbed into Government], [iii] Sri Bojja Obulareddy, Physical Director, SKP.Junior College, Badvel, Kadapa District and [iv] Sri D.Ratna Kumar, Physical Director, V.T. Junior College, Rajahumundry, E.G.Dist., were admitted into Grant-in-Aid w.e.f 01.10.2012 in view of the final orders of the Hon'ble High Court in the above Writ Petitions.

4. In the above circumstances stated by the Commissioner of Intermediate Education, A.P., Government after examining the matter, and in compliance of the Hon'ble High Court of A.P orders vide ref. 5th read above, hereby cancel /withdrawn the orders issued in G.O.Ms.No.46, School Edn. (IE) Dept., Dt:21.08.2018, admitting the cases of [i]. Sri Ch.Padmakar, Physical Director, Dr.BR.Amdedkar Memorial Junior College, Tenali, [ii]. Smt.G.Vijayasree, Librarian, SDMS. Siddhartha Mahila Kalasala Junior College, Vijayawada [Now absorbed into Government], [iii]. Sri Bojja Obulareddy, Physical Director, SKP.Junior College, Badvel, and [iv]. Sri D.Ratna Kumar, Physical Director, V.T. Junior College, Rajahumundry, into Grand-in-aid w.e.f. 01.10.2012, with prospective effect, as the Hon'ble High Court in its orders Dt.10-3-2023 in W.P.No.3847 of 2008, W.P.No.4574 of 2008, W.P.No.8811 of 2008 and W.P.No.9353 of 2008, denying the contention of the petitioners that, similarly situated persons to that of the petitioner were appointed and admitted into GIA and the case of the petitioner is denied and dismissed the Writ Petition as it is found to be devoid of merits.

5. The Commissioner of Intermediate, A.P., is requested to take further necessary action in the matter, accordingly.

(Cont....3)

6. This order issues with the concurrence of Finance (HR.I-Plg.&Policy) Department, vide U.O.No.HROPDPP/344/2023 with Computer No.2225218, Dated 20.10.2023.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

PRAVEEN PRAKASH,
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Commissioner of Intermediate Education, A.P., Tadepalli, Guntur Dist.
Copy to:-
The Director of Treasuries and Accounts, A.P., Vijayawada.
The O.S.D to Hon'ble M(Edn.).
The P.S to Principal Secretary to Government (S.E).
SF / SCs. (Computer No.2134104)

// FORWARDED :: BY ORDER //

SECTION OFFICER